



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/932,648	08/17/2001	Chin-Shiong Tsai	DE 2312.02 US	4581

22887 7590 05/03/2004

DISCOVISION ASSOCIATES
INTELLECTUAL PROPERTY DEVELOPMENT
2355 MAIN STREET, SUITE 200
IRVINE, CA 92614

EXAMINER

ORTIZ CRIADO, JORGE L

ART UNIT	PAPER NUMBER
----------	--------------

2655

DATE MAILED: 05/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/932,648

Applicant(s)

TSAI ET AL.

Examiner

Jorge L Ortiz-Criado

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to because in Fig. 1 descriptive labels should be provided. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 6-15 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 6 and 11 recite the features “a decision-making ruler configured to receive the first and second corrections, and producing a driving force proportionate to the sum of the first and second correction...”; in Fig. 2 the block # 25 (**Decision –making ruler**) does not receive a

Art Unit: 2655

first and second corrections and does not provide a driving force proportionate to the sum of the first and second correction. According to the specifications (See page 5, lines 27-30; page 8, lines 13-17), the decision making ruler sends a third correction signal disproportionate, which is just a signal generated from a decision method described in Fig. 4, page 9, lines 4-19 and no description about a “**Decision-making ruler**” configured to receive the first and second corrections, and/or producing a driving force proportionate to the sum of the first and second correction is found in the specification and/or the figures. The only portion found in the specification about the feature of producing a driving force proportionate to the sum of two correction signals are found with respect to a “**Coarse driver**” in Fig. 2 -block # 223 (See col. 6, lines 2-6; col. 8, lines 19-27)

Claim Rejections - 35 USC § 102

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Yonezawa U.S. Patent no. 6,104,681.

Regarding claim 1, Yonezawa discloses a tracking servo system for guiding a pick-up head to follow an information track (See Abstract; col. 2, lines 33-36), comprising:

Art Unit: 2655

a first means for sensing and sending notice of displacement between the pick-up head and the center of the information track (See col. 4, lines 18-19; Figs. 3,7 block # 12,13);

a second means for receiving the displacement notice and sending a first correction proportionate to the displacement (See col. 4, lines 18-24; Figs. 3,7, block #14,15, "first coarse signal entering to the block# 15 from block #14);

a third means for receiving the displacement notice and sending a second correction disproportionate to the displacement (See col. 4, lines 18-24; col. 6, lines 15-51; Figs. 3,7,9 blocks #14;22;23;24;27,"second coarse signal outputted from the block # 24 or 27); and

a fourth means for receiving the first and second corrections, and producing a driving force proportionate to the sum of the first and second correction for driving the pick-up head to follow the information track (See col. 4, lines 23-28; Figs. 3, 7- block# 15; Figs. 4,9)

Regarding claim 2 and 7, Yonezawa discloses wherein the information track is on an optical disc (See col. 4, line 2; Figs. 3,7 ref # 1)

Regarding claim 3 and 8, Yonezawa discloses the first means is an optical sensor (See col. 4, lines 18-19; Fig. 7 block # 12,13)

Regarding claim 4 and 9, Yonezawa discloses pick-up head comprises a lens (See col. 4, lines 4-10)

Art Unit: 2655

Regarding claim 5 and 10, Yonezawa discloses the first means sends the displacement with a track error signal (See col. 4, lines 18-19; Fig. 3,7 block # 12,13)

Regarding claim 6, Yonezawa discloses a tracking servo system for guiding a pick-up head to follow an information track (See Abstract; col. 2, lines 33-36), comprising:

a sensor configured to sense and send a notice of displacement between the pick-up head and the center of the information track (See col. 4, lines 18-19; Figs. 3,7 block # 12,13);

a first controller configured to receive the displacement notice and send a first correction proportionate to the displacement (See col. 4, lines 18-24; Figs. 3,7, block #14,15, "first coarse signal entering directly to the block# 15, from block #14);

a second controller configured for receive the displacement notice and send a second correction disproportionate to the displacement (See col. 4, lines 18-24; Figs. 3,7, block #14;22;23;24;27,"second coarse signal outputted from the block # 24 or 27); and

a "**decision making ruler**" (Coarse Actuator driving Circuit) configured to receive the first and second corrections, and producing a driving force proportionate to the sum of the first and second correction for driving the pick-up head to follow the information track (See col. 4, lines 23-28; Figs. 3, 7- block# 15; Figs. 4,9)

Regarding claims 11-15, Method claims 11-15 are drawn to the method of using the corresponding system claimed in claims 6-10. Therefore method claims 11-15 correspond to system claims 6-10 and are rejected for the same reasons of anticipation as used above.

Response to Arguments

6. Applicant's arguments filed 02/23/2004 have been fully considered but they are not persuasive.

Applicant's response to the rejection of claims 1-5 as unpatentable over Yonezawa.

Applicants argued that does not disclose the "fourth means with a first and second corrections which produce a driving force proportionate to the first and second corrections"

The Examiner cannot concur because Yonezawa discloses a "fourth means with a first and second corrections which produce a driving force proportionate to the first and second corrections" (See col. 4, lines 23-28; Figs. 3, 7- block# 15; Figs. 4,9)

Yonezawa discloses a second means for receiving the displacement notice and sending a first correction proportionate to the displacement (See col. 4, lines 18-24; Figs. 3,7, block #14,15, "first coarse correction signal entering directly to the block# 15 from block #14);

a third means for receiving the displacement notice and sending a second correction disproportionate to the displacement (See col. 4, lines 18-63; col. 6, lines 15-51; Figs. 3,7,9 blocks #14;22;23;24;27," second coarse correction signal outputted from the block # 24), which is a signal provided from a decision method for deciding the disproportionate coarse driving signal (See Fig. 4,9) to be added in the fourth means (**Coarse Actuator Driving Circuit**)

a fourth means (**Coarse Actuator Driving Circuit**) for receiving the first and second corrections, and producing a driving force proportionate to the sum of the first and second correction for driving the pick-up head to follow the information track (See col. 4, lines 23-63;

Art Unit: 2655

Figs. 3, 7- block# 15; Figs. 4,9) (“adding the first and second coarse correction signals”, and sending a proportionate driving force to driving the pick-up and follow the information track

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jorge L Ortiz-Criado whose telephone number is (703) 305-8323. The examiner can normally be reached on Mon.-Thu.(8:30 am - 6:00 pm), Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Doris H To can be reached on (703) 305-4827. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-6743.

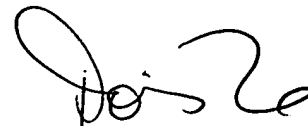
Application/Control Number: 09/932,648

Page 8

Art Unit: 2655

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

joc

A handwritten signature in black ink, appearing to read 'Doris H. To', with a stylized flourish at the end.

**DORIS H. TO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**